

ORDINANCE NO. 2010-994-O

AN ORDINANCE CHANGING THE ZONE OF A PARCEL OF PROPERTY FROM C-1 ZONE (NEIGHBORHOOD COMMERCIAL) TO C-2 ZONE (HIGHWAY COMMERCIAL) FOR A BED & BREAKFAST ON LOWER KOLOB MOUNTAIN

The County Legislative Body of the County of Washington ordains as follows:

1. Statutory Authority
2. Purpose of Provisions
3. Findings
4. Zone Change
5. Effective Date

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-53-208, 17-53-223, 17-27a-102, 17-27a-302 and 17-27a-502 (1953, as amended).

2. Purpose of Provisions.

The purpose of this ordinance is to change the zone of a parcel of property from a C-1 Zone (Neighborhood Commercial) to a C-2 Zone (Highway Commercial) for a Bed & Breakfast, which is located in a portion of Section 21, Township 40 South, Range 11 West, Salt Lake Base and Meridian, generally located on lower Kolob Mountain, containing 5.421 acres.

3. Findings.

- A. The subject parcel of property is currently zoned C-1 (Neighborhood Commercial).
- B. Changing the zone to a C-2 Zone will bring the property into compliance with the zoning ordinance.
- C. The proposed zone change does not impact the surrounding land use and is consistent with the General Plan.
- D. The C-2 Zone is more restricted than the original use, which was a bar.
- E. The applicant has met all of the requirements necessary to change the zone of the subject properties to C-2 (Highway Commercial).

- F. The Planning Commission caused notice of the hearing and the proposed zone change to be advertised at least ten (10) days before the date of the public hearing in *The Spectrum*, a newspaper of general circulation in Washington County.
 - G. On April 27, 2010, at 1:30 p.m., the Planning Commission held a public hearing to consider any comments regarding the proposed zone change. The Planning Commission accepted all comments.
 - H. The amendment to the zoning ordinance was submitted to the Washington County Planning Commission ("Planning Commission") on April 27, 2010. The Planning Commission recommended approval of the zone change, subject to the applicant delivering a boundary description to the Planning Department.
 - I. It is in the interest of the public and the citizens of Washington County that the proposed zone changes be approved.
4. Zone Change.
- A. The zone of a parcel of property, which is located in a portion of Section 21, Township 40 South, Range 11 West, Salt Lake Base and Meridian, generally located on lower Kolob Mountain, containing 5.421 acres, is changed from C-1 (Neighborhood Commercial) to C-2 (Highway Commercial).
 - B. The exact location of the property affected by the zone changes shall be reflected on the County Zoning Map.
5. Effective Date.

This ordinance takes effect fifteen (15) days after its passage. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this ____ day of May 2010.

WASHINGTON COUNTY

JAMES J. EARDLEY, Chair
Washington County Commission

ATTEST:

Kim M. Hafen
Washington County Clerk-Auditor

Commissioner Eardley voted ____
Commissioner Gardner voted ____
Commissioner Drake voted ____